

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

FILED
MAY 17 2019
Clerk, U.S. Courts
District Of Montana
Missoula Division

DARRIN WILLIAM MATT,

Petitioner,

vs.

PAT MCTIGHE, PAROLE BOARD,
TIM FOX, ATTORNEY GENERAL
OF THE STATE OF MONTANA,

Respondents.

CV 18-153-H-DLC-JTJ

ORDER

United States Magistrate Judge John T. Johnston entered his Findings and Recommendations on March 12, 2019, recommending that Petitioner Darrin William Matt's Petition (Doc. 1) be denied. (Doc. 7 at 7.) Petitioner did not object to the Findings and Recommendations and so has waived the right to de novo review thereof. 28 U.S.C. § 636(b)(1)(C). Absent objection, this Court reviews findings and recommendations for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted). Reviewing for clear error and finding none,

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 7) are ADOPTED IN FULL and the Petition (Doc. 1) is DENIED.

IT IS FURTHER ORDERED that the Clerk of Court is directed to enter by separate document judgment in favor of Respondent and against Petitioner.

IT IS FURTHER ORDERED that a certificate of appealability is DENIED.

DATED this 17th day of May, 2019.



Dana L. Christensen, Chief Judge
United States District Court